

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

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For Immediate Release

NEWS RELEASE SUMMARY - October 6, 2004

United States Attorney Carol C. Lam announced that a federal grand jury sitting in San Diego today returned a two-count indictment charging SERGIO MARTINEZ with Setting Timber Afire (Count One), in violation of Title 18, United States Code, Section 1855, and making a False Statement (Count Two), in violation of Title 18, United States Code, Section 1001.

The indictment alleges that MARTINEZ intentionally set the fire which began in the Cleveland National Forest on October 25, 2003. It also alleges that MARTINEZ lied to officers when asked about the origin of the fire.

In addition, with respect to Count One, the indictment charges sixteen special allegations. Fourteen of those allegations are that the offense charged in the indictment resulted in the deaths of James Shohara, Solange M. Shohara, Randy M. Shohara, Stephen Shacklett, Galen Blacklidge, Quynh Yen Pack, John James Pack, Ralph Marshall Westley, Mary Peace, Gary Downs, Christy Anne Seiler-Davis, Jennifer Sloan, Robin

Sloan and Steven Rucker. The sixteenth special allegation alleges that the loss from the fire exceeded \$400,000,000 in damage to property.

The defendant faces a maximum possible sentence of five years imprisonment for each of the counts.

The defendant will be arraigned before Magistrate Judge James F. Stiven on October 7, 2004.

DEFENDANT

SERGIO MARTINEZ

SUMMARY OF CHARGES

One Count of Timber Set Afire in violation of 18 U.S.C. § 1855
Maximum Penalty: 5 years' imprisonment; \$250,000 fine

One Count of False Statement to a Federal Officer in violation of 18 U.S.C. § 1001
Maximum Penalty: 5 years' imprisonment; \$250,000 fine

INVESTIGATIVE AGENCY

United States Forest Service

An indictment is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.